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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 YEKATERINA MALEVANNAYA,
11 et al.,

12 Plaintiffs,

13 v.

14 T-MOBILE,

15 Defendant.

CASE NO. C18-0886JLR

ORDER OF DISMISSAL
WITHOUT PREJUDICE

16 On June 15, 2018, Plaintiffs Yekaterina Malevannaya and Liliya Volodkov
17 (collectively, “Plaintiffs”) filed this case against Defendant T-Mobile and simultaneously
18 moved for a temporary restraining order (“TRO”).¹ (*See* Compl. (Dkt. # 1-1); TRO Mot.
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21 ¹ Along with their complaint and motion for a TRO, Plaintiffs filed a motion to proceed
22 *in forma pauperis* (“IFP”). (*See* IFP Mot. (Dkt. # 1).) The IFP motion contained information
related only to Ms. Malevannaya and was signed only by her. (*See id.*) Ms. Volodkov neither
signed the IFP motion nor paid the required filing fee. (*See* Dkt.) The court thus ordered Ms.
Volodkov to correct the deficiency by filing a signed IFP application containing her financial

1 (Dkt. # 1-2.) The court found that Plaintiffs' complaint contained no factual allegations,
2 aside from listing Ms. Malevannaya's domicile and the principal place of business for
3 T-Mobile.² (*See generally* 6/18/18 Order at 5-7; Compl.; *see id.* at 4.) Both Ms.
4 Malevannaya's domicile and T-Mobile's principal place of business are in Washington.
5 (*Id.* at 4.) Based on those allegations, the court concluded that Plaintiffs intended to
6 allege diversity jurisdiction as the basis for the court's subject matter jurisdiction, that the
7 court lacked subject matter jurisdiction because there was not complete diversity of
8 citizenship among the parties, and that Plaintiffs failed to meet the standard for issuance
9 of a TRO. (6/18/18 Order at 5-7.) The court thus denied the TRO motion and ordered
10 Plaintiffs to show cause no later than Monday, July 2, 2018, why the court should not
11 dismiss this matter for lack of subject matter jurisdiction. (*Id.* at 6-7.)

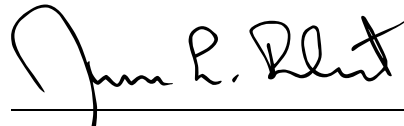
12 Plaintiffs have not specifically responded to the court's order (*see* Dkt.), but on
13 June 18, 2018, Plaintiffs filed several "exhibits" (*see* Exhibits (Dkt. # 3)). None of the
14 exhibits—all of which are related to a person named Vyacheslav Aleksyuk—
15 demonstrates the court's subject matter jurisdiction. The first exhibit is Mr. Aleksyuk's

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17 information no later than Monday, July 2, 2018. (6/18/18 Order (Dkt. # 2) at 3.) Ms. Volodkov
18 has not done so. (*See* Dkt.)

19 ² In their motion for a TRO, Plaintiffs stated that Ms. Malevannaya is the "account holder
20 of [an] Integrity Business account of T-Mobile," and that they have experienced "unfair
21 treatment of [the] executive response team . . . , harrasing [sic] behavior, unproffesional [sic]
22 vulgar language, fraudulent [sic] transactions, and unreasonable termination of [their] account
without explanation." (TRO Mot. at 1-2.) They further stated that a T-Mobile representative
told them they "have untill [sic] Monday to transfer [their] lines," and that they are not allowed
in any T-Mobile retail stores or to obtain service from T-Mobile or "its affiliates" in the future.
(*Id.* at 2.) Based on the foregoing events, Plaintiffs sought a TRO to "stop termination of
service," which was set to occur on June 18, 2018. (*Id.* at 1.)

1 declaration in which he attests that he authorized only one payment of \$397.00 on
2 January 6, 2018, and that T-Mobile “hacked [his] account without authorization.” (Ex. 1
3 (Dkt. # 3-1) at 1.) The second and third exhibits appear to be telephone bills for Mr.
4 Alekseyuk from December 15, 2017, through January 14, 2018, and March 15, 2018,
5 through April 14, 2018. (Ex. 2 (Dkt. # 3-2) at 1; Ex. 3 (Dkt. # 3-3) at 1.) Even if it were
6 clear who Mr. Alekseyuk is and what role he plays in this litigation, his declaration and
7 phone bills fail to demonstrate any basis for the court to exercise jurisdiction. (*See id.*)
8 Plaintiffs have not otherwise responded to the court’s June 18, 2018, order. (*See Dkt.*)
9 Accordingly, the court concludes that it lacks subject matter jurisdiction and DISMISSES
10 Plaintiffs’ complaint without prejudice.

11 Dated this 3rd day of July, 2018.

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14 JAMES L. ROBART
15 United States District Judge
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